

Application No.: 10/500525

Case No.: 57402US004

REMARKS

Examination and reconsideration of the application as amended is requested.

Claim Status

Claims 1 to 12 are pending. No claims are currently canceled, withdrawn from consideration, or added. Claim 1 is currently amended.

Objection to Claims

Claims 4-9 and 11 were objected to under 37 C.F.R. §1.75(c) as being in improper form for having a multiply dependent claim depend from another multiply dependent claim.

In the Preliminary Amendment filed with the application, claims 3-8 and 10-12 were each amended to eliminate all multiple dependency.

In view of these prior amendments, Applicants respectfully request that the objection of claims 4-9 and 11 under 37 C.F.R. §1.75(c) be withdrawn.

§102 Rejections

Claims 1-3, 10, and 12 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 6,162,369 (Allewaert et al.) and by U.S. Patent No. 5,536,304 (Coppens et al.).

Allewaert et al. discloses compositions desired for stain resistance and release properties. In contrast, the present invention is directed at a method for improving oil-repellency and water-repellency.

While disclosing use of fluorochemical monomers having a broad range of 3 to 18 carbon atoms in the fluoroaliphatic radical, Allewaert et al. teaches a specific preference for those having from 6 to 14 carbon atoms, see col. 4, lines 36-42. In contrast, the present invention is directed specifically to compositions containing 3 or 4 carbon atoms in the fluoroaliphatic radical.

Furthermore, in the present invention the fluorochemical composition is applied at up to no more than 3% by weight on the substrate. In contrast, in the reference all of the examples are made with from 0.3 to 0.6% by weight of treatment, in excess of the range indicated in col. 9, lines 33-38.

Claim 1 is amended to recite that the composition used in the invention is an aqueous emulsion. Antecedent basis is found at page 11, line 21.

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The compositions disclosed in Coppens et al. are solvent-based, necessitated by use of the anhydride-containing polysiloxanes as component (b).

For these reasons, Applicants respectfully submit that the rejection under 35 USC § 102(b) has been overcome and should be withdrawn.

CONCLUSION

In view of the above, it is submitted that the application is in condition for allowance. Applicant requests a telephone interview to more fully understand the examiners position and advance this case to issuance.

Respectfully submitted,

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Date

By: Robert H. Jordan
Robert H. Jordan, Reg. No.: 31,973
Telephone No.: 651-733-6866

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833